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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
EDELTRAUD BLAESER, ET AL. : EXAMINER: ZAREK, PAUL E.  
SERIAL NO: 10/572,574 :  
FILED: MARCH 17, 2006 : GROUP ART UNIT: 1628  
FOR: SKIN CLEANSING AGENT, :  
PARTICULARLY FOR REMOVING :  
PRINTING INKS AND/OR SOILING CAUSED :  
BY INK :

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

I, Dr. Petra Allef, declare that:

1. I am a graduate of Maine University and received my Ph.D. degree in the  
year 2000.

2. I have been employed by Evonik Stockhausen GmbH for 5 years as a Head of R&D  
in the field of cosmetics, and I

3. I understand the English language.

4. I am familiar with the invention described in the above-identified U.S. patent application  
10/572,574, filed on March 17, 2006.

5. It is my understanding that claim 1 of the above-identified application is directed to a skin cleansing agent comprising: (a) 1-70 wt. % of at least one ethoxylated amine and/or ethoxylated diamine; (b) 30-70 wt. % of at least one polyethylene glycol of the general formula  $\text{HO}-(\text{CH}_2\text{CH}_2-\text{O})_n\text{H}$ , wherein n is an integer of from 1 to 150; (c) 1-30 wt. % of at least one fatty alcohol polyglycol ether; (d) 0.1-5 wt. % of at least one complexing agent; (e) 0-30 wt. % of at least one reducing or oxidizing agent; (f) 0-25 wt. % of one or more abrasives; (g) 0-10 wt. % of at least one polyhydric alcohol; (h) 0-3 wt. % of water; (i) optionally one or more viscosity-building agents; and (j) optionally one or more cosmetic adjuvants, additives and/or active substances, wherein the sum of components (a)-(j) constitutes 100 wt. % of the cleansing agent.

6. The following comparative experiments were carried out by me or under my direct supervision and control.

7. Formulations: The following formulations were prepared as shown below. The inventive formulation of Example A contains PEG-2 rapeseed amine without potassium hydroxide. The conventional formulation of Comparative Example B contains potassium hydroxide as a "pH regulator" without PEG-2 rapeseed amine.

Tradename	Chemical	A [%]	B [%]
Propandiole 1,2	propylene glycol	2.000	2.000
Polydiole 400	PEG-8	49.590	49.590
Bermocoll EHM 200	C <sub>12</sub> -C <sub>16</sub> alkyl hydroxyethyl ethylcellulose	1.500	1.500
Intrasol 1218/10 / FK	Laureth-10	10.000	10.000
Berol 302	PEG-2 rapeseed amine	9.900	-
ethan. KOH 0.5mol/l	Potassium hydroxide	-	9.900
EDTA-powder	Tetrasodium EDTA	2.000	2.000
CI 77891	Titanium dioxide	1.500	1.500
Mono sodium phosphate calc.	Sodium phosphate	0.010	0.010
Aerosil® 200 of Evonik Degussa GmbH	Silica	3.000	3.000
Hydrosulfit PFS	Sodium hydrosulfite	10.000	10.000
Walnut shell powder	Juglans Regia Shell Powder	10.000	10.000
Perfume oil	Perfume	0.500	0.500
<b>Total</b>		<b>100.000</b>	<b>100.000</b>

8. Experimental Procedure: The cleaning power of the formulation of Example A and the conventional formulation of Comparative Example B was tested with the following hand washing test using 10 subjects:

- 0.5 g of black ink (Pelikan 4001 Brillant-Schwarz) stain soiling was distributed on the palm and the back of the hand and rubbed in
- hands were allowed to dry for 1 ½ min
- 1.2 g of the formulation of Example A or the conventional formulation of Comparative Example B was applied and rubbed in
- 1 ml of water was added and the hands were washed for 30 s
- a further 1 ml of water was added and the hands were washed again for 30 s
- hands were rinsed under cold running water
- a visual assessment of residual ink stain soiling on the back and the palm of the hand was conducted according to the following scale.

0 = clean

1 = small amounts of residual ink stain soiling remaining

2 = medium amounts of residual ink stain soiling remaining

3 = large amounts of residual ink stain soiling remaining

4 = very large amounts of residual ink stain soiling remaining

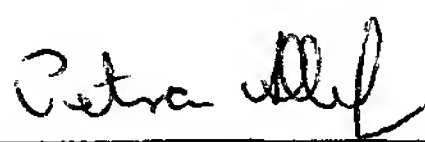
5 = no cleaning

9. Experimental Results: Measurements of the average values of residual ink stain soiling on the hands are as follows:

Formulation	Ink Cleaning Results
Example A	1.2
Comparative Example B	4.6

10. Conclusion: This evidence demonstrates that the formulation of Example A, which contains the specific combination of (a) at least one ethoxylated amine and/or ethoxylated diamine (e.g., PEG-2 rapeseed amine) and (b) at least one polyethylene glycol of the general formula  $\text{HO}-(\text{CH}_2\text{CH}_2-\text{O})_n\text{H}$ , wherein  $n$  is an integer of from 1 to 150 (e.g., PEG-8), which is representative of the invention claimed in the above-identified U.S. patent application, exhibits an unexpectedly superior ink cleansing effect as compared to the conventional formulation of Comparative Example B having an identical composition, but replacing PEG-2 rapeseed amine with an equivalent amount of an alkali hydroxide (e.g., KOH) as a pH regulator.

11. The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

  
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Signature of Dr. Petra Allef

July 6<sup>th</sup>, 2010  
Date